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BANK OF AMERICA, N.A.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 BANK OF AMERICA, N.A., a national
banking association,

12 Petitioner,

13 vs.
14

15 MICHELETTI FAMILY PARTNERSHIP,
a California Limited Partnership,
ARTHUR MICHELETTI, an individual,
16 and JANICE MICHELETTI, an individual,

17 Respondents.
18

Case No. CV 08 2902 EMC

**DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

19 The undersigned party in the above-captioned civil matter hereby declines to consent to
20 the assignment of this case to a United States Magistrate Judge for trial and disposition and
21 hereby requests the reassignment of this case to a United States District Judge.

22 DATED: June 19, 2008

23 BUCHALTER NEMER
A Professional Corporation

24 By: 

JAMES B. WRIGHT
Attorneys for Petitioner
BANK OF AMERICA, N.A.
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BN 2038283v1

CERTIFICATE OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A Professional Corporation, 333 Market Street, 25th Floor, San Francisco, California 94105-2126.

On the date set forth below, I served the foregoing document described as:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT
JUDGE**

on all other parties and/or their attorneys of record to this action by placing a true copy thereof in a sealed envelope as follows:

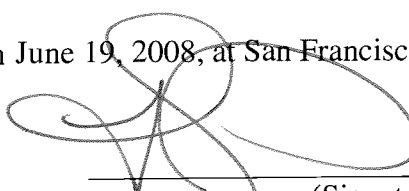
James M. Wagstaffe, Esq.
100 Spear Street, No. 1800
San Francisco, CA 94105
Phone: (415) 371-8500
Fax: (415) 371-0500
Email: wagstaffe@kerrwagstaffe.com

☒ **BY MAIL** I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. The address(es) shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at Buchalter Nemer in San Francisco, California on June 19, 2008. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on this date following ordinary business practices.

☒ **BY EMAIL.** On June 19, 2008, I caused the above-referenced document(s) to be sent in electronic PDF format as an attachment to an email addressed to the person(s) on whom such document(s) is/are to be served at the email addresses shown above, as last given by that person(s) or as obtained from an internet website(s) relating to such person(s), and I did not receive an email response upon sending such email indicating that such email was not delivered.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on June 19, 2008, at San Francisco, California.

Frances L. Skaggs



(Signature)